

AMENDMENT UNDER 37 C.F.R. §1.114(c)
U.S. Application No. 09/487,239
Attorney Docket No. Q57646

REMARKS

Upon entry of the present Amendment, claims 6 and 9-13 are all the claims pending in the application. Claim 6 is amended, and new claim 13 is added. No new matter is presented.

Claims 6 and 9-12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Dauber et al. (U.S. Patent No. 5,538,545, hereinafter “Dauber”) in view of Takiguchi et al. (U.S. Patent No. 5,804,074, hereinafter “Takiguchi”) and Harada et al. (U.S. Patent No. 5,234,751, hereinafter “Harada”).¹ Applicant respectfully traverses and submits that the combination of features defined by these claims would not have been rendered *prima facie* obvious by Dauber, Takiguchi and Harada, as evidenced by the following.

Claim 6, as amended herein, defines a container holding an adsorbent, the container being made of at least two laminates joined to each other, wherein each laminate comprises an ultra high molecular weight polyolefin porous film and a polytetrafluoroethylene porous film. As further recited by claim 6, the polytetrafluoroethylene porous film has an average pore size of 0.2 to 1.5 μm and a porosity of 60 to 95%. In addition, claim 6 recites the feature of an average pore size of the ultra high molecular weight polyolefin porous film is 10 to 200 μm .

Applicant submits that none of Dauber, Takiguchi or Harada, whether taken alone or in combination, teaches or suggests *at least* the feature of the average pore size of the ultra high molecular weight polyolefin porous film being 10 to 200 μm , as claimed. Applicant notes that support for this limitation is found in the Specification, for example, at page 11, lines 16 to 21.

¹ Applicant notes that the Advisory Action of March 8, 2006 indicated that the previous Amendment of February 22, 2006 was entered and that claims 6 and 9-12 were rejected.

Further, in an exemplary embodiment of the present invention, the claimed laminate provides a PTFE porous film with an ultra high molecular weight film having a collection efficiency of 99.999% or higher for dust of 0.1 to 0.2 μm in size and a pressure drop of 100 mm H_2O or less, which may be obtained by virtue of the claimed feature of “the polytetrafluoroethylene porous film has an average pore size of 0.2 to 1.5 μm and a porosity of 60 to 95%” and the claimed average pore size of the laminated ultra high molecular weight polyolefin porous film.

The adsorbent recirculating filter of Dauber, the porous plastic filter for separating particles of Takiguchi and the porous material of polytetrafluoroethylene of Harada, even assuming the Examiner’s asserted motivation to combine these teachings is proper, would fail to suggest all the limitations recited by claim 6. Accordingly, reconsideration and withdrawal of the rejection of claim 6 is requested.

Further, Applicant submits that dependent claims 9-13 are allowable at least by virtue of their dependency.

New claim

In order to provide additional claim coverage merited by the scope of the invention, Applicant is adding new claim 13, which recites the feature of the ultra high weight polyolefin porous film comprises an ultra high weight polyethylene film having a molecular weight of 500,000 to 16,000,000. Applicant notes that support for this feature is found, for example at page 7, line 25 to page 8, line 2 of the originally filed specification.

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Applicant submits that none of Dauber, Takiguchi, or Harada, whether taken alone or in combination, teaches or suggests the limitation of claim 13. For instance, in accordance with an exemplary embodiment of the invention, if the molecular weight of the ultra high weight polyolefin film were below 500,000, the film would melt at the time of heat-lamination and the shape could not be maintained. Likewise, if the molecular weight exceeds 16,000,000, the heat-lamination would take an excessive amount of time. The recited molecular weight is not taught by Dauber, Takiguchi, or Harada. Accordingly, allowance of claim 13 is requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



Brian K. Shelton
Registration No. 50,245

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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